

STATE OF FLORIDA

Department of Highway Safety and Motor Vehicles

SECTION: 6	SUBJECT: REPORT OF DISPOSITION PROCEDURES	PAGE: 1 OF 2
-----------------------------	--	------------------------

1. GENERAL INFORMATION

- a. Florida Statute 43.41 and 318.14(7)(a) require the Clerk of Court to report the final disposition of each offense written on a uniform traffic citation to D.H.S.M.V. within 10 days after final judicial disposition.
All dispositions returned to the county requiring a correction shall be resubmitted to the department within 10 days after the notification of the error.
- b. Traffic Citation Accounting Transmission System (TCATS). Florida Statute 318.18 (8)(a) requires citation data to be electronically transmitted through the Florida Association of Court Clerks (FACC). This is accomplished with the contract between F.A.C.C. and D.H.S.M.V. Data will be transmitted from F.A.C.C. to D.H.S.M.V. for processing.
- c. D.H.S.M.V. uses the information from the report of disposition, as follows:
 1. Updating the driver history record.
 2. Departmental action, such as suspension or revocation of the individual's driving privilege.
 3. Accountability and statistical purposes.
- d. Dispositions that carry a verdict of guilty (including those fines listed as paid at Traffic Violations Bureaus and bond estreatures) or those with adjudication withheld by the judge when charged with Driving Under the Influence or Driving While License Suspended/Revoked/Cancelled/Disqualified, are used toward Departmental action against the driving privilege.
- e. When D.H.S.M.V. furnishes a driver record, it will only reflect information on convictions, adjudications withheld, bond estreatures, and adjudged delinquent. The record will not show arrest information or the verdicts "not guilty", "nolle prosequi", "dismissed".
- f. When a case is transferred to another court, the disposition copy goes with the transfer.
- g. When the defendant fails to appear and a warrant has been filed or fails to pay or comply with a traffic violation and a suspension (D6) has been transmitted, hold the disposition copy until all reasonable hope of bringing the defendant to trial has been abandoned or until 7 years after submission of the D6 to DHSMV at which time the case shall be considered disposed of. Make sure the D-6 suspension has purged from the driver record due to 7 year retention before transmitting disposition copy through TCATS. **To complete the process**, the court will have to submit verdict B "other" when transmitting.

STATE OF FLORIDA

Department of Highway Safety and Motor Vehicles

SECTION:
6

SUBJECT:
REPORT OF DISPOSITION
PROCEDURES

PAGE:
2 OF 2

- h.** Criminal cases that have been suspended (D-6) will not purge at D.H.S.M.V until reinstated. If a judge orders cases nolle prosequi, dismissed, or not guilty, clearances for open D6 suspensions must also be transmitted along with the dispositions.
- i.** Once the court receives the citation, it **MUST** show “dismissed”, “other” or “nolle prosequi”. **CAN NOT BE VOIDED.**

2. COURT ORDER REPORT OF DISPOSITION (HSMV 75827) IN PLACE OF ABSTRACT

- a. Use this form **only** to report dispositions to D.H.S.M.V. when a Uniform Traffic Citation pursuant to F.S. 316.650 was not issued. **DO NOT report dispositions for violations of chapters 316, 320, and 322 on this form. These require that a UTC be written.**

(See Appendix “E” page 20)

1. Print legibly.
2. Affix Clerk of Court's seal.
3. Convictions reported where court is directing the suspension/revocation of the violator's driver license must state the length of time recommended.
4. This form should not be used as a D-6 Suspension, or for worthless check suspensions, or for failed to pay financial obligation suspensions in criminal cases.